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To: United States Patent and Trademark Office, ATTN: Examiner Andrew Faile

From: John A. Crook

Fax: 703/308.5359

Pages: 6

Date: April 9, 2002

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

Re: Applicant: Cocchi et al.

Serial No. 09/783,241

Filed: February 14, 2001

Title: INTERNET SERVICE PROVIDER CALLBACK FOR SATELLITE SYSTEMS

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#3
PATENT
PD-990079
Customer No. 020991

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Cocchi, et al.

Serial No: 09/783,241

Filed: February 14, 2001

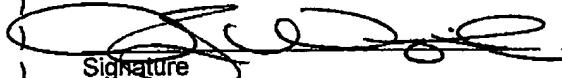
Title:

INTERNET SERVICE PROVIDER
CALLBACK FOR SATELLITE SYSTEMS

Group Art Unit: 2611

Examiner: Andrew Faile

I hereby certify that this paper is being transmitted to the Commissioner for Patents, United States Patent and Trademark Office, Washington, DC 20231 via facsimile (to number 703/308.5359) on this date.


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Date: April 9, 2002

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PETITION TO REVIVE ABANDONED APPLICATION
BASED ON UNINTENTIONAL FAILURE TO NOTIFY OF FOREIGN FILING
PURSUANT TO 37 CFR §§ 1.137(b) and 1.137(f)
AND
RELATED COMMUNICATION

Commissioner for Patents
Washington, DC 20231

Sir:

The present application is believed to be abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely notify the Office of a foreign filing.

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PETITION

Pursuant to 37 CFR §§ 1.137(b) and 1.137(f), applicants respectfully petition to revive the above-identified application. As discussed below, the failure to notify was unintentional.

Submitted herewith is a Request to Rescind Previous Nonpublication Request (35 U.S.C. 122(b)(2)(B)(iii)).

Please charge the petition fee of \$1,280.00 pursuant to 37 CFR § 1.17(m) to Deposit Account No. 50-0383 of Hughes Electronics Corporation. If any additional fee is due, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 50-0383 of Hughes Electronics Corporation, El Segundo, California.

DISCUSSION

The above-identified application was filed on February 14, 2001. At the time the invention disclosure was reviewed by the group charged with reviewing all such disclosures on behalf of assignee (which group includes the undersigned), a decision was made to file an application in the United States. Consideration was also given to corresponding foreign filings. It was determined that there was no present intention to file any foreign applications. Accordingly, a Nonpublication Request Under 35 USC § 122(b)(2)(B)(i) was filed contemporaneously with the present application.

The docketing system of assignee provides reminders of approaching one-year anniversaries of all U.S. applications. Pursuant to standard practice, on

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receiving this reminder the group which reviews invention disclosures considers again the possibility of foreign filings, taking into account the then-present circumstances. As a result of this later review of the present case, a new decision was made to file a corresponding case in the EPO. Accordingly, on February 13, 2002, an application corresponding to the present application was filed with the European Patent Office.

In accordance with 35 USC § 122(b)(2)(B)(iii) and 37 CFR §1.213(c), a notice of foreign filing and request to rescind the previous nonpublication request should have been filed within 45 days, on or before March 30, 2002. However, such notice or request was unintentionally not submitted on behalf of applicants in this case.

During a review of internal docketing information, it was noticed for the first time on April 3, 2002 that the Patent Office had not been notified of the February 13, 2002 foreign filing. The undersigned then promptly prepared the present communication and Petition for submission.

Counsel for applicants have taken steps to revise the internal docket procedures to better take into account recent changes in the Patent Office publication rules.

The undersigned counsel for applicants hereby states and represents that the delay in filing the Request to Rescind Previous Nonpublication Request (35 U.S.C. 122(b)(2)(B)(iii)) was unintentional, and that it is being immediately drawn to the attention of the Patent Office within days of its discovery.

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If a telephone inquiry would assist in resolving this matter, please feel free to contact the undersigned at 303/712.5044, or by facsimile at 303/712.5042.

Respectfully submitted,

By


John A. Crook, Reg. No. 30,830
Attorney for Applicants

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PTO/SB/38 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

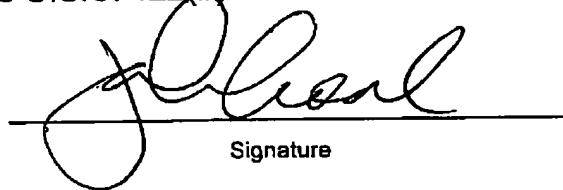
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**REQUEST TO RESCIND PREVIOUS
NONPUBLICATION REQUEST
35 U.S.C. 122(b)(2)(B)(ii)**

Application Number	09/783,241
Filing Date	02/14/2001
First Named Inventor	Ronald P. Cocchi
Title	Internet Service Provider Callback For Satellite Systems
Atty Docket Number	PD-990079
Group Art Unit	2611
Examiner	Andrew Faile

I hereby **rescind** the previous request that the above-identified application not be published under 35 U.S.C. 122(b).

April 9, 2002
Date



Signature

John A. Crook, Reg. No. 30,830

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b).

Note: Filing this rescission of a previous nonpublication request is considered the notice of a subsequent foreign or international filing required by 35 USC 122(b)(2)(B)(iii) and 37 CFR 1.213(c) if this rescission is filed no later than forty-five days (45) days after the date of filing of such foreign or international application. See 37 CFR 1.137(f) if a notice of subsequent foreign or international filing required by 35 USC 122(b)(2)(B)(iii) and 37 CFR 1.213(c) is not filed within forty-five days (45) days after the date of filing of the foreign or international application.

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box PG Pub, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type) Dana J. Warnquist

Signature

Date April , 2002

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(b). The information is used by the public to rescind a previously filed request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that rescission). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.